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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

MARY VALLEJOS,

Plaintiff,

vs.

BECHTEL SHORT TERM DISABILITY
PLAN and LIFE INSURANCE COMPANY
OF NORTH AMERICA,

Defendants.

Case No.: C 07-05363 SC

**STPULATION and [PROPOSED] ORDER
TAKING HEARING ON STANDARD OF
REVIEW OFF CALENDAR**

Plaintiff MARY VALLEJOS ("Plaintiff"), and Defendants BECHTEL SHORT TERM
DISABILITY PLAN (the "Plan") and LIFE INSURANCE COMPANY OF NORTH AMERICA
("LINA") by and through their respective counsel of record, hereby stipulate that LINA has
agreed to pay the short-term disability benefits claim that is the subject of this ERISA litigation.
LINA is in the process of calculating the benefits it will pay to plaintiff, and the parties will be
negotiating the appropriate interest payable on those benefits as well as the attorney's fee owed

STIPULATION and [PROPOSED] ORDER TAKING HRG ON STRD OF REVIEW OFF CALENDAR (C 07-05363 SC)

1 plaintiff under ERISA. They hope to reach a mutually agreeable settlement on the interest and
2 attorneys fees issues. If not, plaintiff will bring a motion for interest and attorneys fees.

3 Because the issue regarding eligibility for benefits has been resolved, the Court no longer
4 needs to determine what the proper standard of review is. Therefore, the parties request that the
5 Court take the hearing scheduled for April 25, 2008 at 10 A.M. regarding the standard of review
6 off of the calendar.
7

8 IT IS SO STIPULATED.
9
10
11

12 DATED: March 17, 2008

THE LAW OFFICE OF STEVEN
CHABRE

13 By: /S/
14 Steven Chabre
15 Attorney for Plaintiff
16 MARY VALLEJOS
17

18 DATED: March 20, 2008

WILSON, ELSER, MOSKOWITZ
EDELMAN, & DICKER LLP

19 BY: /S/
20 Dennis Rhodes
21 Attorneys for Defendants
22 BECHTEL SHORT TERM DISABILITY
23 PLAN and LIFE INSURANCE COMPANY
24 OF NORTH AMERICA
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[PROPOSED] ORDER

PURSUANT TO STIPULATION and good cause appearing therefor, IT IS HEREBY
ORDERED THAT:

The hearing currently scheduled for April 25, 2008 at 10 A.M. regarding the proper
standard of review is taken off calendar.

Dated: _____

By: _____
Hon. Samuel Conti
SENIOR U.S. DISTRICT COURT JUDGE